

Introduced \_\_\_\_\_  
Public hearing \_\_\_\_\_  
Council action \_\_\_\_\_  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

2004 Legislative Session

Legislative day #9

### BILL NO. 34–2004 (ZRA-49)

Introduced by Guy Guzzone, Chairman

AN ACT amending the Howard County Zoning Regulations to add income-eligible county employees to the list of people entitled to preference in purchasing Moderate Income Housing Units.

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Introduced and read first time \_\_\_\_\_, 2004. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2004 and concluded on \_\_\_\_\_, 2004.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator to the County Council

This Bill was read the third time \_\_\_\_\_, 2004 and Passed \_\_, Passed with amendments \_\_, Failed \_\_.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_\_\_ day of \_\_\_\_\_, 2004 at \_\_\_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator to the County Council

Approved/vetoed by the County Executive on \_\_\_\_\_, 2004.

\_\_\_\_\_  
James N. Robey, County Executive

NOTE; [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.  
~~Strikeout~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that  
2 Subsection C.6.b(4)(b) of Section 127 “MXD (Mixed Use) Districts” and Subsection E.3.e(2) of  
3 Section 127.5 “CAC (Corridor Activity Center) District”, of the Zoning Regulations of Howard  
4 County, is hereby amended to read as follows:

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6 **Comprehensive Zoning Plan for Howard County**

7 **127: MXD (Mixed Use) Districts**

8 C. Requirements for Mixed Use Development

9 **6. Residential Density**

10 b. Moderate Income Housing

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12 (1) If the allowed residential density established by a Preliminary  
13 Development Plan exceeds 2.3 dwelling units per gross acre of the  
14 Mixed Use Development or if a provision of moderate income housing  
15 is proffered by the Petitioner and made a condition of approval in a  
16 Preliminary Development Plan approval by the Zoning Board, then the  
17 development shall include moderate income housing units.

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19 (2) Except as units are proffered as provided in Section 127.C.6.b(1),  
20 moderate income housing units shall be provided in the amounts  
21 indicated below:

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<u>Dwelling Units Per Gross Acre of the Mixed Use Development</u>	<u>Minimum Percentage of Moderate Income Housing Units</u>
More than 2.3 but no more than 2.7	5% of total number of dwelling units
More than 2.7	10% of total number of dwelling units

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24 (3) When moderate income housing units are proffered as noted above in

Section 127.C.6.b(1), the proffered number of units shall be provided.

(4) The moderate income housing units in the MXD district are to be made available to the following individuals prior to making them available to the general public:

(1) Employees of the development; and

(2) ALL INCOME-ELIGIBLE Howard County EMPLOYEES AND EMPLOYEES OF THE HOWARD COUNTY BOARD OF EDUCATION [[Firefighters, Police Officers, and Teachers]].

These individuals must also meet the qualifications of the MIHU program as established in 13.400 of the Howard County Code.

b. The number of apartment dwelling units allowed by a Preliminary Development Plan for a Mixed Use Development in an MXD-3 District shall be limited to no more than 30% of the total number of dwelling units allowed in the development.

### **127.5: CAC (Corridor Activity Center) District**

#### **E. Requirements for CAC Development**

##### **3. Requirements for Residential Uses**

d. At least 15 percent of the dwelling units shall be moderate income housing units.

e. The moderate income housing units in the CAC district are to be made available to the following individuals prior to making them available to the general public:

(1) Employees of the development; AND

(2) ALL INCOME-ELIGIBLE Howard County EMPLOYEES AND EMPLOYEES OF THE HOWARD COUNTY BOARD OF EDUCATION [[Firefighters, Police Officers, and Teachers]]; and

(3) Residents that are dislocated by Route 1 redevelopment projects.

These individuals must also meet the qualifications of the MIHU program as established in 13.400 of the Howard County Code.

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2    ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that***

3    *this Act shall become effective 61 days after its enactment.*

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